

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 10-10269-GAO

GREGORY WEBB,  
Plaintiff,

v.

GUNN ALLEN FINANCIAL, ROBERT LEE, and JAMES RAPUANO,  
Defendants.

ORDER  
May 27, 2010

O'TOOLE, D.J.

Defendant GunnAllen Financial, Inc.'s recent filing of a petition under the Bankruptcy Code operates as an automatic stay against it of this judicial action. See 11 U.S.C. 362. Thus, Defendant GunAllen Financial Inc.'s Motion to Set Aside Default (dkt. no. 11), Defendant GunAllen Financial Inc.'s Motion to Stay and Compel Arbitration and Incorporated Memorandum of Law (dkt. no. 12), and Gregory Webb's Motion for Entry of Judgment<sup>1</sup> (dkt. no. 13) as to GunnAllen are hereby DENIED without prejudice at this time.

Because stays pursuant to section 362 do not generally encompass non-bankrupt co-defendants, this action may proceed as to the remaining defendant, James Rapuano. An evidentiary hearing on the Motion for Entry of Judgment (dkt. no. 13) as to Rapuano will be scheduled at a date and time to be set by the Clerk.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.  
United States District Judge

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<sup>1</sup> The Court reminds Webb of Local Rule 5.1(a)(2) (requiring all documents, with the exception of discovery requests and responses, filed in the District of Massachusetts to be double-spaced).